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NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES (Large Entity)	Docket No. ITL1039US
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In Re Application Of: Sarah E. Kim, et al.

Application No. 10/669,212	Filing Date September 24, 2003	Examiner Chris C. Chu	Customer No. 21906	Group Art Unit 2815	Confirmation No. 2146
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Invention: Packaged Electroosmotic Pumps Using Porous Frits for Cooling Integrated Circuits

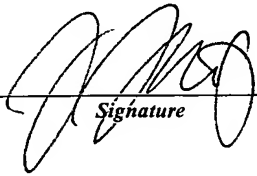
COMMISSIONER FOR PATENTS:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated May 16, 2006 finally rejecting Claim(s) 10-13 and 18-25

The fee for this Notice of Appeal is: \$500.00


- ☒ A check in the amount of the fee is enclosed.
- ☐ The Director has already been authorized to charge fees in this application to a Deposit Account.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 20-1504
- ☐ Payment by credit card. Form PTO-2038 is attached.

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Signature

Dated: July 26, 2006

Timothy N. Trop, Reg. No. 28,994
TROP, PRUNER & HU, P.C.
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Doc Code: AP.PRE.REQ

PTO/SB/33 (07/05)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional)		
		ITL.1039US (P14622)		
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR on <u>July 26, 2006</u> Signature <u></u> Typed or printed name <u>Nancy Meshkoff</u>	Application Number		Filed	
	10/669,212		September 24, 2003	
	First Named Inventor			
	Sarah E. Kim			
		Art Unit	Examiner	
		2815	Chris C. Chu	
Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.				
This request is being filed with a notice of appeal.				
The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.				
I am the				
<input type="checkbox"/> applicant/inventor.				
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)				
<input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>28,994</u>				
<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____				
		 Signature <u>Timothy N. Trop</u> Typed or printed name <u>(713) 468-8880</u> Telephone number <u>July 26, 2006</u> Date		
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.				

☐ *Total of _____ forms are submitted.

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant:

Sarah E. Kim et al.

Serial No.: 10/669,212

Filed: September 24, 2003

For: Packaged Electroosmotic Pumps
Using Porous Frits for Cooling
Integrated Circuits

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Art Unit: 2815

Examiner: Chris C. Chu

Atty Docket: ITL.1039US
P14622

Assignee: Intel Corporation

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT IN SUPPORT OF PRE-APPEAL REQUEST FOR REVIEW

Sir:

The claim calls for a catalytic re-combiner. It is suggested that a finned heat exchanger somehow constitutes both a re-combiner and a catalytic re-combiner.

Clearly, it has no catalytic elements. The attempt to parse the definition of a catalytic re-combiner to simply say that it is anything that allows condensation is unjustified. All that a finned heat exchanger does is remove heat from the flowing fluid. There is no area specifically devoted to condensation and no basis to make such a claim.

Moreover, there is nothing that allows any recombination of gases using a catalytic material. Therefore, there is no catalytic re-combiner. Any heat exchanger is not a catalytic re-combiner. Assertions to the contrary are unsupported.

Certainly, even the present application shows heat exchangers, but still needs a catalytic re-combiner. Thus, there is no basis to assert equivalency between a heat exchanger and a

Date of Deposit: July 26, 2006

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Nancy Meshkoff

catalytic re-combiner. The same can be said of the reference to Goodson. Namely, it teaches both elements, just no catalytic re-combiner within the integrated circuit package.

In view of the clear difference between a catalytic re-combiner and a heat exchanger, reconsideration is requested.

Respectfully submitted,

Date: July 26, 2006



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